

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 20, 2021

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PETITION OF

APPALACHIAN POWER COMPANY

CASE NO. PUR-2021-00236

For approval to continue rate adjustment clause,
the EE-RAC, and for approval of a new energy
efficiency program pursuant to §§ 56-585.1 A 5 c
and 56-596.2 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On November 30, 2021, Appalachian Power Company ("APCo" or "Company"), pursuant to §§ 56-585.1 A 5 and 56-596.2 of the Code of Virginia ("Code") and the Final Order of the State Corporation Commission ("Commission") in Case No. PUR-2020-00251,¹ filed with the Commission a petition ("Petition") for approval of the continued implementation of its rate adjustment clause ("EE-RAC") to recover the costs of its existing portfolio ("EE Portfolio") of energy efficiency ("EE") and demand response programs, as well as for approval of one new EE pilot program, the Commercial and Industrial ("C&I") Custom Pilot Program.

In its Petition, APCo requests Commission approval to implement the C&I Custom Pilot Program for a three-year period starting January 2023.² The Company states that through the proposed pilot program, qualifying C&I customers will be able to earn incentives for EE improvements that are not already covered by existing programs in APCo's EE Portfolio.³ The

¹ *Petition of Appalachian Power Company, For approval to continue rate adjustment clause, the EE-RAC, and for approval of new energy efficiency programs pursuant to §§ 56-585.1 A 5 c and 56-596.2 of the Code of Virginia*, Case No. PUR-2020-00251, Doc. Con. Cen. No. 210730134, Order Approving Rate Adjustment Clause (July 29, 2021) ("2020 EE-RAC Order").

² Petition at 6.

³ *Id.* at 5.

Company further states that C&I customers will be able to implement non-standard and more complex EE projects that are unique to their facilities and operations.⁴ APCo indicates that it will offer incentives based on resultant, verified savings and that the Company and its partners will work with participating customers throughout the pilot program to refine goals and performance.⁵

APCo also requests approval to continue the EE-RAC for the rate year of September 1, 2022, through August 31, 2023 ("2022 Rate Year"), to recover: (i) 2022 Rate Year costs associated with the Company's EE Portfolio ("Projected Factor"); and (ii) any (over)/under recovery of costs associated with the EE Portfolio as of August 31, 2022 ("True-Up Factor").⁶ APCo represents that it calculated the margin on EE program expenses incurred through December 31, 2021, based on a return on common equity of 9.2%, as authorized by the Commission in Case No. PUR-2020-00015.⁷ The Company indicates that it excluded margins on projected EE program expenses after January 1, 2022, from the revenue requirement and will seek recovery of these margins in a future true-up proceeding.⁸ The Company proposes a total EE-RAC revenue requirement of \$18,405,768 for the 2022 Rate Year, which consists of a

⁴ *Id.* at 5-6.

⁵ *Id.* at 6.

⁶ *See id.* at 6-7; Direct Testimony of Zachary L. Bacon ("Bacon Direct") at 4-5.

⁷ Bacon Direct at 4; *see Application of Appalachian Power Company, For a 2020 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia*, Case No. PUR-2020-00015, 2020 S.C.C. Ann. Rept. 421, Final Order (Nov. 24, 2020).

⁸ Bacon Direct at 4.

Projected Factor in the amount of \$19,672,909, and a True-Up Factor credit of \$1,267,141.⁹

APCo is not requesting recovery of lost revenues in this proceeding.¹⁰

If the proposed EE-RAC for the 2022 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed EE-RAC would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.34 or 0.3%.¹¹

APCo requests a limited waiver of 20 VAC 5-204-90 ("Rule 90") of the Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities ("Rate Case Rules")¹² with respect to certain Schedule 46 materials.¹³ According to APCo, the supporting documentation responsive to this requirement is voluminous and some of it is confidential.¹⁴ Further, the Company states that it is filing, pursuant to the 2020 EE-RAC Order, a copy of the most recent EM&V Report, which is 459 pages long. In lieu of physical production of multiple copies, the Company requests that it be allowed to file one hard copy of these confidential or voluminous documents and three compact disks containing electronic

⁹ Petition at 6-7; Bacon Direct at 5.

¹⁰ Petition at 7 n.6.

¹¹ *Id.* at 7; Direct Testimony of Jaclyn N. Cost at 3.

¹² 20 VAC 5-204-5 *et seq.*

¹³ Petition at 8.

¹⁴ *Id.* at 9.

versions of the documents.¹⁵ APCo states that it has also made available electronic copies of these documents to the Staff of the Commission ("Staff") and will make them available to respondents via an electronic data room established for this proceeding.¹⁶

The Company requests that the Commission permit it to delay filing its next EE-RAC petition by an additional year, until November 30, 2023.¹⁷ APCo indicates that it has no immediate plans to propose new programs during that period and projects that the revenue requirement for the next period will be substantially the same as that proposed in this case (with any differences accounted for the in True-Up Factor in the next petition).¹⁸ The Company proposes to provide the Commission with reporting on program costs, revenues, participation, and other relevant information on November 30, 2022, and asserts that this proposal will not change how APCo conducts its programs, opt-out or stakeholder processes.¹⁹

In conjunction with the filing of its Petition on November 30, 2021, the Company also filed a Motion for Protective Ruling ("Motion") and a proposed protective ruling that establishes procedures governing the use of confidential information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; APCo should provide public notice of its Petition; a public

¹⁵ *Id.* The Company notes this is consistent with the Commission's Order Granting Limited Reconsideration in Case No. PUR-2021-00146. *Id.*; see *Petition of Virginia Electric and Power Company, For approval of the RPS Development Plan, approval and certification of the proposed CE-2 Solar Projects pursuant to §§ 56-580 D and 56-46.1 of the Code of Virginia, revision of rate adjustment clause, designated Rider CE, under § 56-585.1 A 6 of the Code of Virginia, and a prudence determination to enter into power purchase agreements pursuant to § 56-585.1:4 of the Code of Virginia*, Case No. PUR-2021-00146, Doc. Con. Cen. No. 210830286, Order Granting Limited Reconsideration (Aug. 26, 2021).

¹⁶ Petition at 9.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 9-10.

hearing should be scheduled for the purpose of receiving testimony and evidence on the Petition; interested persons should have an opportunity to file comments on the Petition or participate as a respondent in this proceeding; and Staff should be directed to investigate the Petition and file testimony and exhibits containing its findings and recommendations thereon. We also find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion and filing a final report containing the Hearing Examiner's findings and recommendations.

For purposes of making the Petition complete and commencing this proceeding, we find that APCo's request for a limited waiver of Rule 90 of the Rate Case Rules should be granted, and that we will accept the filing, with the Clerk of the Commission, of one (1) hard copy and three (3) electronic copies on compact discs of the documents described in the Petition.

The Commission takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and may take additional actions going forward, that could impact the procedures in this proceeding.²⁰ Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and

²⁰ See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, 2020 S.C.C. Ann. Rept. 76, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), *extended by* 2020 S.C.C. Ann. Rept. 78, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, 2020 S.C.C. Ann. Rept. 79, Order Requiring Electronic Service (Apr. 1, 2020).

pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

We note that the proposed EE-RAC, if approved, would result in an increase to customer bills. We realize that the ongoing COVID-19 public health issues have caused devastating economic effects that impact utility customers. We have responded to this economic emergency by, among other actions, directing Virginia utilities to offer extended payment plans, without late fees for those who are current on such plans, to protect customers from service disconnection. We are sensitive to the effects of rate increases, especially in times such as these. The Commission, however, must and will follow the laws applicable to this case, as well as the findings of fact supported by evidence in the record.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2021-00236.

(2) All pleadings in this matter should be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").²¹ Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.²²

²¹ 5 VAC 5-10-20 *et seq.*

²² As noted in the Commission's Revised Operating Procedures Order, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may be subject to delayed processing due to COVID-19 public health issues.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion.

(5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Company's Petition, as follows:

- (a) A hearing for the receipt of testimony from public witnesses on the Company's Petition shall be convened telephonically at 10 a.m., on May 18, 2022, with no public witness present in the Commission's courtroom.²³
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before May 12, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on May 18, 2022, the Commission will telephone sequentially each person who has signed up to testify as provided above.

²³ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

(e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(6) A public evidentiary hearing on the Petition shall be convened at 10 a.m., on May 19, 2022, either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, to receive testimony and evidence offered by the Company, respondents, and the Staff on the Petition. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

(7) An electronic copy of the public version of the Company's Petition may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, American Electric Power Service Corporation, 3 James Center, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or njcoates@aep.com. Interested persons also may download unofficial copies of the public version of the Petition and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

(8) On or before January 19, 2022, the Company shall cause the following notice to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF A PETITION BY
 APPALACHIAN POWER COMPANY,
 FOR APPROVAL TO CONTINUE
 RATE ADJUSTMENT CLAUSE, THE EE-RAC,
 AND FOR APPROVAL OF A NEW ENERGY EFFICIENCY PROGRAM
 PURSUANT TO
 §§ 56-585.1 A 5 c AND 56-596.2 OF THE CODE OF VIRGINIA
CASE NO. PUR-2021-00236

- **Appalachian Power Company ("APCo") requests a total of \$18,405,768 for its 2022 EE-RAC. According to APCo, this amount would increase the bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.34.**
- **A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on May 18, 2022, at 10 a.m., for the receipt of public witness testimony.**
- **An evidentiary hearing will be held on May 19, 2022, at 10 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.**
- **Further information about this case is available on the Commission website at:
scc.virginia.gov/pages/Case-Information.**

On November 30, 2021, Appalachian Power Company ("APCo" or "Company"), pursuant to §§ 56-585.1 A 5 and 56-596.2 of the Code of Virginia ("Code") and the Final Order of the State Corporation Commission ("Commission") in Case No. PUR-2020-00251, filed with the Commission a petition ("Petition") for approval of the continued implementation of its rate adjustment clause ("EE-RAC") to recover the costs of its existing portfolio ("EE Portfolio") of energy efficiency ("EE") and demand response programs, as well as for approval of one new EE pilot program, the Commercial and Industrial ("C&I") Custom Pilot Program.

In its Petition, APCo requests Commission approval to implement the C&I Custom Pilot Program for a three-year period starting January 2023. The Company states that through the proposed pilot program, qualifying C&I customers will be able to earn incentives for EE improvements that are not already covered by existing programs in APCo's EE Portfolio. The Company further states that C&I customers will be able to implement non-standard and more complex EE projects that are unique to their facilities and operations. APCo indicates that it will offer incentives based on resultant, verified savings and that the Company and its partners will work with participating customers throughout the pilot program to refine goals and performance.

APCo also requests approval to continue the EE-RAC for the rate year of September 1, 2022, through August 31, 2023 ("2022 Rate Year"), to recover: (i) 2022 Rate Year costs associated with the Company's EE Portfolio ("Projected Factor"); and (ii) any (over)/under recovery of costs associated with the EE Portfolio as of August 31, 2022 ("True-Up Factor"). APCo represents that it calculated the margin on EE program expenses incurred through December 31, 2021, based on a return on common equity of 9.2%, as authorized by the Commission in Case No. PUR 2020-00015. The Company indicates that it excluded margins on projected EE program expenses after January 1, 2022, from the revenue requirement and will seek recovery of these margins in a future true-up proceeding. The Company proposes a total EE-RAC revenue requirement of \$18,405,768 for the 2022 Rate Year, which consists of a Projected Factor in the amount of \$19,672,909, and a True-Up Factor credit of \$1,267,141. APCo is not requesting recovery of lost revenues in this proceeding.

If the proposed EE-RAC for the 2022 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed EE-RAC would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.34 or 0.3%.

Interested persons are encouraged to review the Petition and supporting documents for the details of these and other proposals.

TAKE NOTICE that the Commission may apportion revenues among customer classes and/or design rates in a manner differing from that shown in the Petition and supporting documents

and thus may adopt rates that differ from those appearing in the Company's Petition and supporting documents.

The Commission has taken judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. In accordance therewith, all pleadings, briefs or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled public hearings on APCo's Petition. On May 18, 2022, at 10 a.m., a Hearing Examiner appointed by the Commission will hold a telephonic hearing for the purpose of receiving the testimony of public witnesses, with no public witness present in the Commission's courtroom. On or before May 12, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

On May 19, 2022, at 10 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a

Hearing Examiner appointed by the Commission will convene a hearing to receive testimony and evidence offered by the Company, any respondents, and the Commission's Staff on the Company's Petition. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

An electronic copy of the public version of the Company's Petition may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, 3 James Center, American Electric Power Service Corporation, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or njcoates@aep.com.

On or before May 12, 2022, any interested person may submit comments on the Petition electronically by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00236.

On or before March 2, 2022, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. A copy of the notice of participation as a respondent also must be sent to counsel for the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00236.

On or before March 23, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling,

any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, the respondent shall comply with the Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00236.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The public version of the Company's Petition and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Hearing may be viewed at: scc.virginia.gov/pages/Case-Information.

APPALACHIAN POWER COMPANY

(9) The Company shall serve each official listed in 20 VAC 5-204-10 J 1 as provided by 20 VAC 5-204-10 J 2.

(10) On or before February 16, 2022, the Company shall file proof of the notice and service required by Ordering Paragraphs (8) and (9), including the name, title, address and electronic mail address (if applicable) of each official served, with the Clerk of the State Corporation Commission by filing electronically at scc.virginia.gov/clk/efiling/.

(11) On or before May 12, 2022, any interested person may submit written comments on the Petition by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State

Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00236.

(12) On or before March 2, 2022, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (11). Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00236.

(13) Within three (3) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the public version of its Petition on the respondent.

(14) On or before March 23, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (11). Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all

other respondents simultaneous with its filing. In all filings, the respondent shall comply with the Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00236.

(15) On or before April 13, 2022, the Staff shall investigate the Petition and file with the Clerk of the Commission its testimony and exhibits concerning the Petition, and each Staff witness's testimony shall include a summary not to exceed one page. A copy thereof shall be served on counsel to the Company and all respondents.

(16) On or before May 4, 2022, APCo shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.

(17) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice.

(18) Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed

or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff.²⁴ Except as modified herein, discovery shall be in accordance with Part IV of the Rules of Practice, 5 VAC 5-20-240 *et seq.*

(19) For purposes of making the Petition complete and commencing this proceeding, the Company's request for a limited waiver of certain filing requirements of the Rate Case Rules is granted as set forth herein.

(20) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

²⁴ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2021-00236, in the appropriate box.